REMARKS

This application has been reviewed in light of the Office Action mailed on January 29, 2004. Claims 1-10 are pending in the application with Claims 1 and 10 being in independent form. By the present amendment, Claims 1 and 7-10 have been amended. No new matter or issues are believed to be introduced by the amendments.

In the Office Action, FIGs. 1 and 2 were objected to as depicting a block diagram without "readily identifiable" descriptors of each block. The replacement drawing sheets being submitted herewith includes FIGs. 1 and 2 with readily identifiable descriptors of each block. Accordingly, approval of the replacement drawing sheets and withdrawal of the objection are respectfully requested.

The disclosure was objected to due to missing headings for each section. It is respectfully submitted that headings are not required in accordance with MPEP §608.01(a). Accordingly, withdrawal of the objection is respectfully requested.

Claims 1-7 and 10 were objected to for failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention or discovery. Claims 1, 7 and 10 have been amended in a manner which is believed to overcome the objection. Accordingly, withdrawal of the objection with respect to Claims 1-7 and 10 is respectfully requested.

Claims 8 and 9 were objected to as being improper form because a multiple dependent claim should refer to other claims in the alternative only. Claim 8 has been amended in a manner which overcomes the objection. Specifically, Claim 8 has been amended such that Claim 8 is no longer a multiple dependent claim. Accordingly, withdrawal of the objection with respect to Claims 8 and 9 is respectfully requested.

Claim 10 was rejected under 35 U.S.C. § 101 for being directed to non-statutory subject matter. Claim 10 has been amended in a manner as suggested by the Examiner. Accordingly, withdrawal of the rejection with respect to Claim 10 is respectfully requested.

Claims 1-7 and 10 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,617,461 A issued to Schreiner on April 1, 1997 ("Schreiner").

Newly amended Claims 1 and 10 are believed to better define Applicant's invention and to overcome the rejection. Claim 1 recites "An X-ray examination apparatus which includes an X-ray source (11), an X-ray detector (13) including sensor elements for converting X-ray in electrical charges and a processing unit (2) for the correction of image data and a defect detection unit (3) for the detection of image defects that can be detected on the basis of image parameters that can be extracted from image data arising during clinical examinations and is suitable to adapt, in dependence on the detected image defects, the processing parameters (18-21) used in the processing unit (2), characterized in that for the detection of image defects caused by defective sensor elements the defect detection unit (3) includes a filter unit (37) for filtering the image data, a unit (35) for averaging the filtered image data, a comparison unit (36) for comparing the filtered and averaged image data with a threshold value in order to form a defect table identifying defective pixels in the image data, and a processing unit (2) for correcting the defective pixels identified in the defect table by means of a correction table (20) to obtain corrected pixel values and applying the corrected pixel values to the image data from the X-ray detector (13)." (Emphasis added) Claim 10 recites similar recitations as the recitations underlined above for Claim 1.

Schreiner does not disclose or suggest at least the newly added limitations to Claims 1 and 10. Schreiner is directed to a method for identifying defective image points in X-ray image

data by converting at least one calibration image into a filter image by highpass filtering. The filter image is subjected to defect determination, so that a defect image is obtained. The defect image is then used for the correction of an original image. See abstract, FIG. 2, and column 3, line 46 to column 4, line 67.

In contrast to Applicant's claimed invention, Schreiner discloses that the correction method 15 takes as inputs the defect image 14 and the original image 16. Applicant's correction method does not take as inputs a defect image and the original image; Applicant's correction method takes as the sole input a defect table identifying defective pixels in the image data, and corrects the defective pixels by means of a correction table.

Accordingly, Schreiner does not disclose or suggest "a comparison unit (36) for comparing the filtered and averaged image data with a threshold value in order to form a defect table identifying defective pixels in the image data, and a processing unit (2) for correcting the defective pixels identified in the defect table by means of a correction table (20) to obtain corrected pixel values and applying the corrected pixel values to the image data from the X-ray detector (13)," as recited by Applicant's Claim 1.

Further, Schreiner does not disclose or suggest "A computer-readable medium for storing a computer program for the correction of image data comprising the steps of forming a defect table identifying defective pixels, correcting the defective pixels identified in the defect table by means of a correction table (20) to obtain corrected pixel values, and applying the corrected pixel values to the image data," as recited by Applicant's Claim 10.

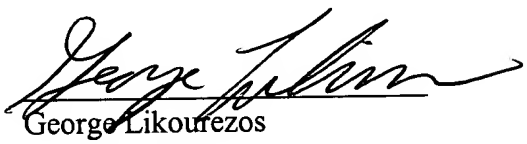
Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) and allowance of Claims 1 and 10 are respectfully requested. Claims 2-9 depend from Claim 1, and therefore include the limitations of Claim 1. Accordingly, for the same reasons given for Claim 1, Claims

2-9 are believed to contain patentable subject matter. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) and allowance of Claims 1-10 are respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-10, are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call John Vodopia, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-333-9627.

Respectfully submitted,



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